

06-13-05

HW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Chiao et al.

CONFIRMATION NUMBER: 9975

SERIAL NUMBER: 10/616,649

EXAMINER: Not Yet Assigned

FILING DATE: July 9, 2003

ART UNIT: 1614

FOR: **METHODS OF TREATING CANCER WITH HDAC INHIBITORS**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Cited References A13-A19, B10 and C60-C80; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

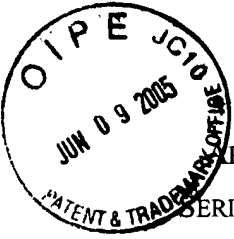
The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. **50-0311** Ref. No. **24852-501 CIP2**. Please address all correspondence to customer number **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

[Signature]

Dated: June 9, 2005

Ivor Elrifi, Reg. No. 39,529
Caryn DeHoratius, Reg. No. 45,881
Attorneys for Applicants
c/o MINTZ, LEVIN, COHN, FERRIS, *et al.*
666 Third Avenue, 24th Floor
New York, New York 10017
Phone: (212) 935-3000
Fax: (212) 983-3115



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Chiao et al. CONFIRMATION NUMBER: 9975
SERIAL NUMBER: 10/616,649 EXAMINER: Not Yet Assigned
FILING DATE: July 9, 2003 ART UNIT: 1614
FOR: **METHODS OF TREATING CANCER WITH HDAC INHIBITORS**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the

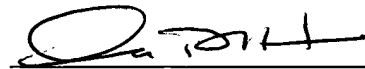
information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **24852-501 CIP2**, Customer No. **35437**.

Respectfully submitted,

Dated: June 9, 2005



Ivor Elrifi, Reg. No. 39,529
Caryn DeHoratius, Reg. No. 45,881
Attorneys for Applicants
c/o MINTZ, LEVIN, COHN, FERRIS, *et al.*
666 Third Avenue, 24th Floor
New York, New York 10017
Phone: (212) 935-3000
Fax: (212) 983-3115

Please type a plus sign (+) in this box



PTO/SB (12-97)
OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Modified Form 1449/PTO

**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/616,649
Filing Date	07/09/03
First Named Inventor	Chiao
Group Art Unit	1614
Examiner Name	Not Yet Assigned
Attorney Docket Number	24852-501 CIP2

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A13	6,231,880	05/15/2001	Perrine	424	423	05/29/1998
	A14	2004/0002506	12/30/2004	Breslow et al.	514	310	04/01/2004
	A15	2004/0087631	05/06/2004	Bacopoulos et al.	514	352	08/26/2003
	A16	2004/0122101	06/24/2004	Miller et al.	514	575	06/19/2003
	A17	2004/0132825	07/08/2004	Bacopoulos et al.	514	575	10/24/2003
	A18	2004/0266818	01/01/2004	Breslow et al.	514	263.4	10/25/2002
	A19	2004/0072735	04/15/2004	Richon et al.	514	9	03/04/2003

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B10	WO 01/16106	Schering Aktiengesellschaft	03/08/2001	X

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C60	Adams and Elliott (2000). <i>Oncogene</i> <u>19</u> : 6687-6692.
	C61	Bates et al. (1999). <i>Proc. American Society of Clinical Oncology</i> <u>18</u> : 180a, Abstract No. 693
	C62	Foster et al. (1997). <i>Invest. New Drugs</i> <u>15</u> : 187-194.
	C63	Gojo et al. (2002). <i>Blood</i> <u>100</u> : Abstract No. 2198 .
	C64	Gore and Carducci (2000). <i>Exp. Opin. Invest. Drugs</i> <u>9</u> : 2923-2934.
	C65	Huang and Pardee (2000). <i>Molecular Medicine</i> <u>6</u> : 849-866.
	C66	Johnstone, R. (2002). <i>Nature Reviews Drug Discovery</i> <u>1</u> : 287-299.
	C67	Kelly et al. (2002). <i>Exp. Opin. Invest. Drugs</i> <u>11</u> : 1695-1713.
	C68	Kelly et al. (2002). <i>Proc. American Society of Clinical Oncology</i> <u>21</u> : 6b, Abstract No. 1831 .
	C69	Kelly et al. (2001). <i>Proc. American Society of Clinical Oncology</i> <u>20</u> : 87a, Abstract No. 344 .
	C70	Kosugi et al. (2001). <i>Jpn. J. Cancer Res.</i> <u>92</u> : 529-536.
	C71	Marshall et al. (2002). <i>J. Exp. Therapeutics and Oncology</i> <u>2</u> : 325-332.
	C72	Piekarz et al. (2001). <i>Blood</i> <u>98</u> : 2865-2868.
	C73	Prakash et al. (2001). <i>Invest. New Drugs</i> <u>19</u> : 1-11.
	C74	Rha et al. (1993). <i>J. Korean Med. Sci.</i> <u>8</u> : 251-256.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C75	Rifkind et al. (2002). 224 th ACS National Meeting, Boston, MA, Abstract No. 226.
	C76	Sandor et al. (2002). <i>Clinical Cancer Research</i> 8: 718-728.
	C77	Secrist et al. (2003). <i>Curr. Opin. Invest. Drugs</i> 4:1422-1427.
	C78	Summerhayes, M. (2001). <i>J. Oncol. Pharm. Prac.</i> 7: 107-125.
	C79	Vigushin, D. (2002). <i>Current Opin. Invest. Drugs</i> 3: 1396-1402.
	C80	Warrell et al. (1998). <i>J. Natl. Cancer Institute</i> 90: 1621-1625.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____ filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.